

# **EXHIBIT F**

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## Chitwood Harley Harnes LLP

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## ● OUR FIRM

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Chitwood Harley Harnes LLP (“Chitwood Harley Harnes”) is one of the nation's leading class action law firms, and the firm is very proud of its many accomplishments. Securities class actions are the cornerstone of the firm's practice. Chitwood Harley Harnes represents individuals, institutional investors (including public pension funds, private mutual funds and union funds), and other victims of securities fraud and corporate mismanagement.

Since its founding, Chitwood Harley Harnes has brought many high profile class actions, recovering billions of dollars on behalf of its clients and requiring corporate defendants to institute strict corporate governance reforms. Recently, the firm served as co-lead counsel in both the *BankAmerica* securities litigation in the Eastern District of Missouri in which \$490 million was recovered for investors and in the *Oxford Health* securities litigation in the Southern District of New York which resulted in a \$300 million recovery for investors – when these cases were resolved in 2003 they were the second and fifth largest recoveries, respectively, since the enactment of the Private Securities Litigation Reform Act of 1995 (the “PSLRA”). In addition, Chitwood Harley Harnes has served as lead or co-lead counsel in nine of the ten largest recoveries in securities class actions in the Northern District of Georgia (which includes Atlanta) since the enactment of the PSLRA.

Clients Chitwood Harley Harnes has represented in securities litigation include:

- The Teachers Retirement System of Georgia
- The Employees' Retirement System of Georgia
- The Retirement Systems of Alabama (lead plaintiff in the Provident securities litigation)
- The Kentucky Teachers Retirement System
- Clarion-CRA Securities (which served as lead plaintiff in the JDN securities litigation)
- The Teachers Retirement System of Ohio (lead plaintiff movant in the Enron litigation)
- The Employees Retirement System of Ohio (lead plaintiff movant in the Enron litigation)
- The Washington State Investment Board (lead plaintiff movant in the Enron litigation)
- The Public Employees Retirement System of Mississippi (lead plaintiff movant in the Cardinal Health litigation)

- The DeKalb County Retirement Fund (lead plaintiff in the *NDCHealth* litigation)

Courts have recognized Chitwood Harley Harnes's high-caliber work and commitment to professionalism in the representation of its clients:

- *BankAmerica* (\$490 million recovery) - United States District Judge John F. Nangle, sitting by special designation for the Eastern District of Missouri, commented favorably on the firm's performance stating: "Class members were well served by experienced attorneys who, through considerable time and effort, obtained a significant recovery for their clients," and, "[a]s the Court has remarked throughout this litigation, class counsel ... have performed at exceptionally high levels, and all parties have been exceedingly well represented."
- *Oxford Health* (\$300 million recovery) - United States District Judge Charles L. Brieant for the Southern District of New York stated that the attorneys "working on this case . . . [have] been in my view excellent" and "want[ed] to make note that all of you did a fine job and it is really a pleasure to work with you over half a decade."
- *1996 Medaphis* (\$72.5 million recovery; the largest recovery in the Northern District of Georgia) - In approving the settlement, United States District Judge Thomas W. Thrash commended the firm's attorneys "for their competent and professional manner" and found that "lead counsel's skill and diligence achieved an exceptional settlement for the benefit of the class."
- *In re Polypropylene Carpet Antitrust Litig.* (\$50 million settlement) - This case was also was filed in the Northern District of Georgia and Chitwood Harley Harnes served as co-lead counsel. United States District Judge Harold L. Murphy stated that the attorneys' "efforts in this case to date have demonstrated their great skill and ability" and that "the Court's own observations of Plaintiffs' counsel support a determination that Plaintiffs' counsel are highly reputable and responsible attorneys."
- *In re JDN Realty Corp. Sec. Litig.* (\$47 million recovery) - Chitwood Harley Harnes served as sole lead counsel. United States District Judge Richard W. Story commended Chitwood Harley Harnes by noting that "the quality of what has been submitted to the Court in this case has been excellent, and I appreciate the quality of the work and your hard work in resolving [the case]."
- *Stoudt v. E.F. Hutton & Company, Inc.* - This is another securities class action in which the firm served as co-lead counsel. A Special Master for the New York federal court found counsel's representation of the plaintiff class to be "exemplary," and that counsel provided superior representation in a particularly complex case.

- *In re IXL Enterprises, Inc. Sec. Litig.* - This securities class action was filed in the Northern District of Georgia and the firm served as co-lead counsel. United States District Judge Clarence Cooper noted that there were “many obstacles that the class members as well as their counsel had to overcome in order to settle this case” and he commended counsel for the plaintiff on “the outstanding job they did in negotiating this settlement.”

These are only a few representative cases in which Chitwood Harley Harnes has achieved successful results on behalf of the firm’s clients. Chitwood Harley Harnes maintains a strong work ethic, finding that efficient and thorough work achieves the best results. The firm emphasizes professionalism in its relations with other attorneys and the judiciary and is committed to zealous representation of its clients.

● **PROFESSIONAL BIOGRAPHIES**

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**PARTNERS**

**MARTIN D. CHITWOOD**

Martin Chitwood has served as lead or co-lead counsel in more than 40 class actions nationwide and has been instrumental in recovering billions of dollars for investors and other class members. In a lead article in February 2004, the Atlanta Journal/Constitution stated that Mr. Chitwood "is considered *the* plaintiffs' lawyer in the state of Georgia." He has also been recognized as a Georgia "Super Lawyer" by *Law and Politics* each year since the inception of the award.

Recently, Mr. Chitwood served as co-lead counsel in both the *BankAmerica* securities litigation in the Eastern District of Missouri in which \$490 million was recovered for investors and in the *Oxford Health* securities litigation in the Southern District of New York which resulted in a \$300 million recovery for investors – when these cases were resolved in 2003 they were the second and fifth largest recoveries, respectively, since the enactment of the Private Securities Litigation Reform Act of 1995 (the "PSLRA"). Mr. Chitwood has also served as lead trial counsel in approximately 25 jury trials and has written and argued numerous appeals.

Mr. Chitwood has served by appointment as a Special Assistant Attorney General for the state of Georgia to represent Georgia state pension funds in securities class actions and has also served as lead counsel in securities class actions for pension funds of numerous other states. He is one of a select few attorneys who have served as lead counsel for private mutual funds that have been appointed as lead plaintiffs in securities class action litigation. Also, Mr. Chitwood is Vice President, Co-Chair of Securities, and a director of the National Association of Securities and Consumer Law Attorneys (NASCAT) and a director of the Committee to Support the Antitrust Laws (COSAL). He is recognized as a leader in the field of corporate governance reform.

Mr. Chitwood has participated as a panelist in many professional seminars, and he authored "The Effects of the English Common Law on the Development of Commonwealth West African Legal Systems," published by the University of Georgia Press in 1976. Mr. Chitwood is also the author of papers on various aspects of securities and antitrust litigation, including:"

- "The Securities Reform Act of 1995: Its Effects on Litigation and Capital Formation" - published in *Calendar Call*, Vol. II, Winter 1996, No. 4
- "Federal Preemption of State Securities Laws: Uniform Standards or Misguided 'Reform'?" - published in *Calendar Call*, Vol. III, Spring 1998, No.1
- "Litigating the Class Action Lawsuit in Georgia" - published by the National Business Institute in 1998



Additionally, he authored multiple articles published by the Institute for Continuing Legal Education ("ICLE") in Georgia and has presented these articles at ICLE seminars, including:

- "Securities Class Actions: The Plaintiffs' Perspective" - 1997
- "Class Actions and Antitrust Enforcement" - 1998
- "The Private Securities Litigation Reform Act of 1995 - A Synopsis" - 1999
- 2000 and 2001 Updates to the "Private Securities Litigation Reform Act of 1995"
- "Investor Communications During Litigation: Ethical Problems, Procedural Issues and PSLRA Requirements in Communicating with Investors When Litigation Is Pending" - 2001

Mr. Chitwood attended the University of Georgia, where he received his A.B., M.A., and J.D. degrees, the last in 1976. He is admitted to practice before all Georgia state trial and appellate courts, the United States District Courts for the Northern, Middle, and Southern Districts of Georgia, and the Second and Eleventh Circuit Courts of Appeals. He is a member of the Atlanta and American Bar Associations, the State Bar of Georgia, the Federal Bar Association, the Association of Trial Lawyers of America, the Georgia Trial Lawyers Association, and the Lawyers' Club of Atlanta, where he serves on the Rules, Practice, and Judiciary Committee. He is also a Life Fellow of the Lawyers Foundation of Georgia. Mr. Chitwood is a member of the Securities Litigation Committee of the Litigation Section of the ABA and the Antitrust and General Practice and Trial Section of the Georgia Bar.

During the Vietnam Conflict, Mr. Chitwood was assigned to the Fifth Special Forces Group (Abn) and served as the commanding officer of a Special Forces A-Team. He received a Top Secret security clearance with Special Access from the Department of Defense. In addition, Mr. Chitwood was awarded both the Vietnamese Cross of Gallantry with Silver Star and the Vietnamese Cross of Gallantry with Palm by the Government of South Vietnam, and the Air Medal, Bronze Star Medal, Combat Infantryman's Badge, Vietnam Service Medal, Vietnam Campaign Medal, Parachute Badge, and Vietnam Jump Wings by the Department of the Army.

Mr. Chitwood co-produced and wrote the story for "Unconquered," a CBS movie of the week that first aired in January 1989. "Unconquered" was chosen as a Best of Category for 1989 by TV Guide. Mr. Chitwood is a member of the Writers' Guild of America.

#### **JOHN F. HARNES**

Mr. Harnes is a graduate of Harvard University and Brooklyn Law School. He was admitted to the Bar in 1982. Since his admission, Mr. Harnes has specialized almost exclusively in securities and corporate litigation. From 1986 to 1991 Mr. Harnes was a litigation associate in the New York offices of Skadden Arps Slate Meagher & Flom. Mr. Harnes has participated in numerous trials involving corporate and securities matters, and he has argued on numerous occasions before appellate courts, including the Supreme Court of Delaware, the New York Court of Appeals, and the First and Second Circuits. Mr. Harnes is admitted to practice in the courts of New York, the First, Second and Seventh Circuit Courts of Appeals, Federal District

Courts in New York and in other Districts around the country, including Arizona and Wisconsin. Mr. Harnes has also been admitted to practice *pro hac vice* in specific cases in federal and state courts throughout the country, including Connecticut, Delaware, California, Colorado, Georgia, Hawaii, Indiana, Maryland, Massachusetts, New Jersey, Pennsylvania, Texas and Virginia.

**GREGORY E. KELLER**

Mr. Keller graduated summa cum laude from Yale University in 1979, and cum laude from Harvard Law School in 1982. He clerked for the Honorable Morey L. Sear, United States District Judge for the Eastern District of Louisiana, from 1982 to 1983. Mr. Keller was admitted to the Bar of the State of Washington in 1983, and, until 1994, was a partner in the Seattle law firm of Hillis Clark Martin & Peterson, where he tried a number of complex jury trials to successful verdicts.

Mr. Keller began to concentrate almost exclusively on corporate and securities litigation after joining Silverman, Harnes, Harnes, Prussin & Keller in New York in 1995, and has continued to practice exclusively in derivative, corporate governance and securities litigation after forming Harnes Keller LLP with John F. Harnes in 1999. Mr. Keller is admitted to practice in the state courts of New York and Washington State, the United States Courts of Appeal for the Third and Ninth Circuits, and in the United States District Courts for the Southern and Eastern Districts of New York, the Western and Eastern Districts of Washington, and the District of Arizona. He has also been admitted to practice *pro hac vice* in specific cases in federal and state courts throughout the country, including Delaware, California, Colorado, Georgia, Kansas, Michigan, New Jersey, Pennsylvania, Nevada, Texas, and Virginia.

**ROBERT W. KILLORIN**

Mr. Killorin is a native of Atlanta. He received his A.B. degree, *cum laude*, from the Duke University in 1980. He received his J.D. from the University of Georgia in 1983 where he participated in the Prosecutorial Clinic and was a member of the ABA national moot court team and the national mock trial team. Mr. Killorin has served as lead or co-lead counsel in numerous trials, appeals, contested hearings, arbitrations, mediations and other matters. He is a member of the State Bar of Georgia, the American and Atlanta Bar Associations, and the Georgia Trial Lawyers Association. Mr. Killorin is admitted to practice in all state trial and appellate courts, the United States District Court for the Northern District of Georgia, the Eleventh Circuit Court of Appeals and the U.S. Supreme Court. Mr. Killorin has handled a broad range of civil litigation, including business and securities litigation, asbestos defense, federal admiralty claims, and international treaty law. His practice now focuses on class, derivative, multi-plaintiff, and other complex litigation.

Mr. Killorin has served on the Consumer Rights Committee of the State Bar of Georgia and was a speaker at the Georgia Trial Lawyers Association Evidence seminar on October 6,

2000. He is the author of "Preparing Clients to Testify," a chapter in *Civil Trial Practice – Winning Techniques of Successful Trial Attorneys*.

Mr. Killorin is also a member of the Eleventh Circuit Historical Society, the President's Club of the University of Georgia, the Military Order of the Carabao, the National Association of Underwater Instructors and the Explorers Club. He volunteered for ten years as a mock trial instructor in the State Bar of Georgia High School Mock Trial program at the Lorenzo Binn Youth Development Center.

#### **CRAIG G. HARLEY**

Mr. Harley has served as lead or co-lead counsel in numerous trials, appeals, arbitrations, mediations and other contested matters in state and federal courts in Georgia and elsewhere. He has had leadership roles in some of the most significant antitrust class actions filed in recent years, including those involving the bulk vitamins, polypropylene and nylon carpet, motorsports merchandise, carbon fiber, and food flavorings industries, and he presently serves as lead counsel in several major securities fraud class actions pending against large Atlanta corporations. He is proud to have assisted various courts and other entities with making *cy pres* distributions of unclaimed settlement benefits in several matters, including working with the Georgia Attorney General to distribute thousands of compact discs to Georgia's public library systems.

Mr. Harley has presented materials at numerous class action and antitrust seminars. For instance, he chaired the Georgia Trial Lawyers Association's Evidence seminar on October 6, 2000. On November 30, 2000, Mr. Harley made a presentation regarding "International Cartels and Private Litigation" for the State Bar of Georgia's Antitrust Section, and in November 2002, he spoke at its seminar on the relationship between criminal investigations and civil litigation. In May of 2005, Mr. Harley spoke about the new "Class Action Fairness Act" at a seminar sponsored by Georgia's Institute for Continuing Legal Education.

Mr. Harley grew up in Atlanta, Georgia, where he attended The Trinity and Westminster Schools. He received his B.A. degree from Duke University (1980) and his M.B.A. (1983) and J.D. (1986) degrees from Georgia State University. He is a member of the State Bar of Georgia, the Federal, American, and Atlanta Bar Associations; the Georgia Trial Lawyers Association, the Lawyers' Club of Atlanta, and the Lawyers Foundation of Georgia, of which he is also a Life Fellow. Mr. Harley is admitted to practice in all Georgia state trial and appellate courts, the United States District Court for the Northern District of Georgia, and the Eleventh Circuit Court of Appeals, and various other courts *pro hac vice*. His practice focuses on class, derivative, multi-plaintiff, and other complex litigation.

#### **DARREN T. KAPLAN**

Mr. Kaplan received his B.A. degree in political science from Syracuse University in 1988 and his J.D. from Hofstra University School of Law in 1991. He is admitted to practice in

New York, Connecticut and Georgia, in every federal district court in New York, the Northern District of Georgia, the U.S. Court of Federal Claims, the U.S. Court of International Trade, the Second, Third, Ninth, Eleventh and Federal Circuit Courts of Appeals, and the Supreme Court of the United States.

In addition to representing shareholders in derivative and class action litigation, Mr. Kaplan focuses on representing consumers in class actions in the personal and information technology fields. He was co-lead counsel in *Ades v. Microsoft Corp.*, 2001 N.Y. Misc. LEXIS 780 (Sup. Ct., Kings County, Sept. 20, 2001), representing a nationwide class of purchasers of Microsoft computer mice. He was co-lead counsel in *Epson Ink Cartridge Cases* (Superior Ct. of California, Los Angeles County), representing a certified nationwide class of purchasers of Epson printer ink cartridges. He was also co-lead counsel in *Checkmate Strategic Group v. Yahoo! Inc.* (U.S. District Court for the Central District of California) where he represented a certified nationwide class of advertisers who had been overcharged for "fraudulent clicks" on Yahoo search ads. The settlement in *Epson Ink Cartridge Cases*, valued in excess of \$900 million dollars, is thought to be one of the top 5 largest consumer class action settlements in history.

Mr. Kaplan has substantial trial experience and has argued appeals in the First and Second Departments of the New York Appellate Division and the Second Circuit Court of Appeals. He has been admitted to practice *pro hac vice* in the state and federal courts of Delaware, California, Maryland, Massachusetts and Kansas. Mr. Kaplan is a member of the American Trial Lawyers Association and the American Bar Association.

#### **NIKOLE M. DAVENPORT**

Ms. Davenport has served as lead counsel in various complex cases. Her work includes new case investigation and analysis, as well as daily case management and strategy for prosecuting securities and antitrust class actions. In addition, Ms. Davenport is the director of client relations for the firm.

Ms. Davenport takes an active role in protecting the interests of institutional investor clients. She is a member of the National Association of Public Pension Attorneys, the Counsel of Institutional Investors, and is corporate affiliate of the National Association of State Treasurers. Ms. Davenport also attends a number of conferences each year that address issues relating to public and private pension funds and regularly lectures to pension board members and trustees.

Over the past five years, Ms. Davenport co-authored three chapters in *Litigating the Class Action Lawsuit in Georgia* and has served as a presenter at class action continuing legal education seminars. In January 2002, Ms. Davenport served as a panelist at the American Bar Association's International Cartel Symposium in New York, New York. Ms. Davenport recently led the firm's litigation team against *Cryolife, Inc.*, which resulted in a \$23.25 million recovery

for class members.

Ms. Davenport received her B.A. and J.D. degrees from Temple University in 1990 and 1994, respectively. She received an Outstanding Oral Advocacy Award while at Temple University School of Law. Ms. Davenport has been admitted to the state bars of Georgia, Pennsylvania and New Jersey, the U.S. District Courts for the Northern District of Georgia, the Eastern District of Pennsylvania, and the District of New Jersey, as well as the Eleventh Circuit Court of Appeals.

**JAMES M. WILSON, JR.**

James "Josh" Wilson received his B.A. from Georgia State University in 1988, his J.D. from the University of Georgia in 1991, and his LL.M. in Tax Law from New York University in 1992. While obtaining his law degree, Mr. Wilson was an editor for the Georgia Journal of International and Comparative Law, and studied and worked abroad in Brussels, Belgium and Munich, Germany.

Formerly Mr. Wilson was associated with Reed Smith, LLP in New York City, where he focused on complex business litigation and securities arbitration before the New York Stock Exchange and the National Association of Securities Dealers. Prior to that, Mr. Wilson worked at a small boutique that concentrated on environmental and maritime litigation and compliance matters. Mr. Wilson has participated in numerous jury and bench trials in federal and state court. His practice at Chitwood Harley Harnes focuses on securities class actions and other complex litigation in federal and state courts.

Mr. Wilson is admitted to practice law in the States of Georgia and New York, before the United States District Courts for the Middle and Northern Districts of Georgia, and before the Southern and Eastern Districts of New York. Mr. Wilson also is a member of the Atlanta Bar Association, the New York State Bar Association, and the New York County Lawyers Association.

Mr. Wilson is a contributing writer and editor for Lexis-Nexis/Matthew Bender.

**KRISSI T. GORE**

Ms. Gore is a native of Atlanta where she attended the Lovett School before she was graduated from Phillips Academy in Andover, Massachusetts. Ms. Gore received her B.A. degree, *cum laude* with a double major, from Wellesley College in 1994. During her college career, she participated in a one-year academic program at Dartmouth College and was a member of the Wellesley and Dartmouth cross country teams. She attended the Ukrainian Institute at Harvard University in 1990 and the Kiev-Mohyla Academia in Ukraine in 1993.

Ms. Gore earned her J.D. degree in May 1999, from the University of Georgia. She is



admitted to practice before all Georgia state trial and appellate courts and the U.S. District Court for the Northern District of Georgia and the Eleventh Circuit Court of Appeals. Her practice is devoted to corporate securities and consumer class actions.

**MERYL W. EDELSTEIN**

Ms. Edelstein received her B.S. degree, cum laude, with a double major in accounting and finance from the University of Florida in 1996. Ms. Edelstein received her J.D. degree from Boston University School of Law in 1999, where she received the Edward F. Hennessey award for academic achievement. While attending law school, Ms. Edelstein completed an internship program with the United States Securities and Exchange Commission. She completed her final semester of law school at Oxford University in Oxford, England, where she studied international and comparative law. After law school, Ms. Edelstein worked as an attorney for the United States Court of Appeals for the Eleventh Circuit. Ms. Edelstein's practice is devoted to corporate securities and other complex class litigation.

**OF COUNSEL**

**JOAN T. HARNES**

Mrs. Harnes is a graduate of Bryn Mawr College and Fordham Law School, where she was a member of the Law Review. She was admitted to the bar in 1955. After graduation, Mrs. Harnes was in private practice, where she was engaged in a large number of trials. Mrs. Harnes was one of the first women to be appointed an Assistant United States Attorney, and served in the Criminal Division in the Eastern District of New York. In 1970, Mrs. Harnes helped form the firm Silverman & Harnes, and thereafter, has specialized in the litigation of cases involving securities violations and matters of corporate governance. She has lectured at the Yale School of Organization and Management on such matters. Mrs. Harnes has actively participated in many trials and has also written numerous briefs and argued appeals in cases involving securities and corporate governance issues. Mrs. Harnes has been admitted to practice in the state courts of New York, the United States Supreme Court, the Second Circuit Court of Appeals, and in the United States District Court for the Southern and Eastern Districts of New York. She has also been admitted and argued *pro hac vice* before many courts, including the Supreme Court of Delaware.

**ROBERT S. KAHN**

Robert S. "Bobby" Kahn advises the firm on institutional and government relations. A native of Savannah, Mr. Kahn graduated from Emory University and received his law degree from the University of Georgia.

Mr. Kahn serves as the elected chairman of the Georgia Democratic Party. He also served as Chief of Staff for Georgia Governor Roy Barnes from 1999 to 2003. As Chief of Staff, Mr. Kahn managed the Governor's office and oversaw all state departments and agencies. He was instrumental in securing passage of the Governor's legislative priorities, including smaller class sizes and greater accountability in public schools, raising teachers' pay to the national average for the first time ever, cutting property taxes, preserving green space and protecting Georgia's quality of life, and improving transportation.

Mr. Kahn is also General Counsel for LUC Media, a firm he started in 1993. LUC Media specializes in purchasing advertising time for political candidates. He represents candidates around the nation in pursuing refunds from television stations that overcharge for campaign advertising time. He is widely recognized as a national expert in this innovative legal field.

#### **ERAN RUBINSTEIN**

Eran Rubinstein practices in the area of securities litigation. Mr. Rubinstein is resident in the firm's New York office. He routinely lectures and counsels international clients on their investments in the United States markets as well as their legal rights and responsibilities as a result of losses sustained in their portfolios due to fraud.

Mr. Rubinstein graduated from California Polytechnic State University, San Luis Obispo, with a B.A. in International Relations. He has studied extensively in London and Kenya. Mr. Rubinstein earned his J.D. from Widener University School of Law, Delaware, where he achieved Dean's Honors List and was both a regional finalist and a coach in the ABA Negotiation Competition. He also argued at the Jessup International Law Moot Court Competition.

While Mr. Rubinstein acquired his earlier experience defending class action cases, working with some of the largest corporate defense firms in San Francisco and Philadelphia, he has spent recent years focused exclusively on the prosecution of such cases, including The Relafen Class Action Litigation, the Initial Public Offering Securities Litigation, and the AOL Time Warner Merger Litigation.

Mr. Rubinstein has been admitted to practice in the state of Pennsylvania, as well as in the Eastern District of Pennsylvania.

#### **SUSAN BOLTZ RUBINSTEIN**

Susan Boltz Rubinstein practices in the area of securities litigation. Ms. Rubinstein is resident in the firm's New York office. She routinely lectures and counsels clients on their investments in the United States markets as well as their legal rights and responsibilities as a result of losses sustained in their portfolios due to fraud.

Prior to entering private practice, she was an Assistant District Attorney. She then acquired her initial class action litigation experience working with large corporate defense firms. Ms. Rubinstein then became associated with a preeminent white collar criminal defense firm. Among other clients, she represented the Delaware Insurance Commissioner in her efforts to recover millions of dollars looted from policy holders. The case represents the nation's largest insolvency due to fraud and involved money laundering through Israeli banks.

Ms. Rubinstein has spent recent years focused exclusively on the prosecution of class actions. These cases have included the Relafen Class Action Litigation, the Initial Public Offering Securities Litigation, and the AOL Time Warner Merger Litigation.

Ms. Rubinstein graduated from La Salle University Honors Program with high distinction as a English/Modern European Studies major and was a Molyneaux Scholarship recipient. During law school, she was an Associate Editor/Member of the Dickinson Journal of International Law. She successfully completed comparative law courses at the following law schools: University of Florence (Co-Recipient of DiNicola Scholarship; Achieved Highest grade in International Family Law seminar); University of Strasbourg, and the University of Vienna.

Ms. Rubinstein has been admitted to practice in the State of New York, the Eastern District of Pennsylvania and the Supreme Court of Pennsylvania.

## **ASSOCIATES**

### **MOLLY A. HAVIG**

Molly Havig received her J.D. degree from Florida State University College of Law in 1999. While in law school, Ms. Havig clerked for the 20th Judicial Circuit of Florida and was presented with an award for exceptional pro bono service for her work with Guardian Ad Litem and the Children's Advocacy Clinic. During this time, Ms. Havig studied international trade and constitutional comparative law with Duke University in Hong Kong.

In 2005, Ms. Havig received an LL.M. in International and Comparative Law from Georgetown University Law Center, where she won awards for academic achievement in customs and import/export law. While pursuing her LL.M., Ms. Havig lived in Rome, Italy and studied international business and European Union law.

Ms. Havig's practice is devoted to corporate securities litigation.



**YESHIMEBET M. A. ABEBE**

Yeshimebet ("Yeshe") Abebe earned her Juris Doctor from the University of Miami School of Law in 2002. While at the University of Miami, she served as Articles and Comments Editor of the University of Miami International and Comparative Law Review, was a member of the International Moot Court Board and served as the Center for Ethics & Public Service David P. Catsman Fellow. Ms. Abebe also served as Vice President of the Honor Council and Treasurer of BLSA, was tapped into the Society of Bar and Gavel, and a James Weldon Johnson Fellow. She earned her M.A. degree in International Law and the Settlement of Disputes from the United Nations Mandated University for Peace in Costa Rica and a Certificated in International Humanitarian Law from the International Committee of the Red Cross. She also completed a summer study abroad program at the University College of London.

Ms. Abebe received her B.S. degree in Urban Regional Studies with a concentration in Africana Studies from Cornell University. She also studied in Italy at the Cornell College of Architecture, Art and Planning program.

Following law school, Ms. Abebe served a legal assistantship to the Honorable Gudmundur Eiriksson of the International Tribunal for the Law of the Sea, was counsel for a non-profit organization and a consultant for an Iowa congressional campaign.

**ZE'EVA KUSHNER BANKS**

Ms. Banks graduated from Emory University School of Law in May 2003. While at Emory, she was a member of the Moot Court Society and received the Order of Advocates Award. Ms. Banks also was on the Dean's List and received the honor of being a Top 10% Oralist, LWRAP Appellate Oral Arguments.

Ms. Banks obtained her Bachelor of Arts in Political Science with honors from Stanford University in June 1998. Prior to majoring in Political Science, she was focused on biology and co-authored an article published in the Proceedings of the National Academy of Sciences. Ms. Banks' practice is devoted to corporate securities litigation.

**DARA LAMUNYON**

Dara LaMunyon received her J.D. from the Cumberland School of Law in Birmingham, Alabama where she was on the Board of Directors of the Cordell Hull Speaker's Forum. She also was a member of the Moot Court Trial Competition, the Haley Trial competition and the Phi Alpha Delta Legal Fraternity. She graduated, cum laude, from Auburn University with a major in Political Science and a minor in Conflict Resolution.

After graduation, Ms. LaMunyon was a Law Clerk for the Honorable Tom King, Jr. Her practice has included insurance defense, domestic relations, personal injury, corporate and social security matters.

**KATHRYN E. MURPHY**

Kathryn ("Katie") Murphy received her JD from the Cumberland School of Law in Birmingham, Alabama where she received a Merit Award for Legal Research and Writing and was a Merit Scholar in Conflict of Laws. She participated in the Dean's Honor, Rushton Lecture Series, was a Cordell Hull Teaching Fellow, and a Phi Alpha Delta Law Fraternity Scholastic Chair. Ms. Murphy received her Bachelor of Arts in Criminal Justice from the University of Georgia where she was a member of the National Criminal Justice Honor Society.

Ms. Murphy's legal practice consists of civil litigation and domestic relations matters.

**MICHAEL R. PEACOCK**

Mr. Peacock graduated with honors from Emory University School of Law in May 2004. While at Emory, he received a number of awards for various academic achievements, including the James T. Colson Scholarship. Mr. Peacock also served as President of Emory Gay & Lesbian Advocates. Mr. Peacock received his undergraduate degree in International Relations from Boston University, from which he graduated *magna cum laude* in May 2001. Mr. Peacock's practice is devoted to corporate securities and other complex class litigation.

**MARY KATHRYN "KATIE" KING**

Mary Kathryn "Katie" King graduated from Emory University School of Law in May 2005. While at Emory, she worked as a student attorney for the Turner Environmental Law Clinic and held leadership positions in several public interest organizations. Ms. King received her undergraduate degree in English and Studio Art from Duke University in December 1998. After completing college, Ms. King joined the Peace Corps as a health volunteer in Gabon, Central Africa, where she developed and initiated HIV/AIDS education programs in local schools and taught maternal and child health in remote villages. Before moving to Atlanta, Ms. King studied horticulture and landscape design in the graduate program at North Carolina State University. Ms. King is a native of Winston-Salem, North Carolina.

**FORENSIC ACCOUNTANTS**

**MAHESH V. PATEL**

Mahesh Patel is a member of Chitwood Harley Harnes's forensic accounting team. Mr.

Patel graduated from Gujarat University in India in 1982 with a Bachelor of Commerce degree and then spent the next three years participating in a Chartered Accountants Apprenticeship in India. During this time Mr. Patel audited banks, financial institutions and corporations. Upon completion of the program, Mr. Patel pursued a career as a stock broker on the international markets. After relocating to the United States, Mr. Patel, has focused on investments and the stock market.

**JOYCE S. WELCH**

Ms. Welch is the firm's Controller and monitors the settlement fund administration process from inception through distribution to the class members. A native of Texas, Ms. Welch received a B.B.A. in Marketing and Accounting from the University of Texas, Austin. Before joining Chitwood Harley Harnes, Ms. Welch worked as a business consultant, providing accounting, management and financial services to small to mid-sized businesses. In addition, Ms. Welch has numerous years of experience in law firm administration, business ownership and management and uses her accounting and financial experience to assist other members of the firm's accounting team.

● **LEADERSHIP POSITIONS**

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Chitwood Harley Harnes has had leadership positions in numerous corporate securities, antitrust, and consumer class action matters. The following list includes some of the recent cases in which the firm has been appointed Lead or Co-Lead Counsel:

**PENDING SECURITIES ACTIONS**

*In re Airgate PCS, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:02-cv-1291-JOF. (The firm serves as Co-Lead Counsel in this class action based upon securities fraud).

*In re Atherogenics Sec. Litig.*, United States District Court for the Southern District of New York, Civil Action No. 05 Civ. 00061 (RJH). (The firm serves as Co-Lead Counsel in this class action based upon securities fraud).

*Amalgamated Bank et al., v. The Coca-Cola Co., et al.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:05-CV-1226-RWS. (The firm serves as Co-Lead Counsel in this class action based on securities fraud.)

*Carpenters Health & Welfare Fund v. The Coca-Cola Co., et al.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-2838-WBH. (The firm serves as Co-Lead Counsel in this class action based on securities fraud.)

*In re ChoicePoint, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:05-CV-686-JTC. (The firm serves as Co-Lead Counsel in this class action based on securities fraud.)

*In re First Horizon Pharmaceutical Corp. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:02-CV-2332-JOF. (The firm serves as Lead Counsel in this class action based on securities fraud.)

*In re Friedman's Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-3475-WSD. (The firm serves as Co-Lead Counsel in this class action based on securities fraud.)

*In re Mirant Corporation Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:02-CV-1467-BBM (The firm serves as Co-Lead Counsel in this class action based upon securities fraud).

*In re Scientific-Atlanta, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:01-CV-1950-RWS. (Class action based upon securities

fraud).

*In re TYCO International, Ltd.*, Multidistrict Litigation Panel, MDL 1335. (The firm serves as Co-Lead Counsel in this class action based upon securities fraud).

### **SUCCESSFULLY RESOLVED SECURITIES ACTIONS**

*In re AFC Enterprises, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-0817-TWT. (The firm served as Co-Lead counsel in this class action based upon securities fraud). [\$15 million cash recovery plus a potential additional \$11.5 million which provides an immediate recovery to the Class and Sub-class).

*Altman v. IQ Software Corp.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-3203. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$550,000 cash recovery].

*Arnold v. Shearson Lehman Hutton Co., Inc.*, United States District Court for the Southern District of New York, Civil Action No. 87 Civ. 4524 (WK) (KAR). (The firm served as Co-Lead Counsel in this securities fraud action arising from a limited partnership offering). [\$20 million cash recovery]

*In re BankAmerica Corp. Sec. Litig.*, United States District Court for the Eastern District of Missouri, MDL No. 1264. (The firm served as Co-Lead Counsel in this class action based upon securities fraud; a significant settlement is proposed to the court). [\$490 million cash recovery].

*In re BellSouth Corp. Sec. Litig.*, United States District Court or the Northern District of Georgia, Civil Action No. 1:02-CV-2142-WSD. (The firm serves as Co-Lead Counsel in this class action based upon securities fraud). [\$35 million cash recovery].

*Carley Capital Group, et al. v. Deloitte & Touche LLP*, United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-3183-TWT. (The firm served as Co-Lead Counsel in this class action based upon securities fraud by an auditor). [\$24 million cash recovery]

*In re Cryolife Inc. Sec. Litig.*, United States District Court of the Northern District of Georgia, Civil Action No. 1:02-CV-1868-BBM. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$23.5 million settlement].

*Demint v. NationsBank of Florida, N.A.*, United States District Court for the Middle District of Florida, Case No. 94-995-CIV-T-23E. (The firm served as Co-Lead Counsel in action based upon sale of securities by bank affiliate). [\$30 million settlement]

*Hanson v. NationsBanc Securities, Inc.*, Sixth Judicial Circuit of Florida, for Pinellas County, Case No. 95-1202-CI-8. (The firm served as Co-Lead Counsel in this action based upon sale of securities by bank affiliate).

*In re Healthtronics Surgical Services, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-2800-CC. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$2.85 million cash recovery].

*In re Housecall Medical Resources Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:96-CV-2214-JEC. (The firm has served as Co-Lead Counsel in this class action based upon securities fraud). United States District Court approved [\$4 million settlement]

*In re Intercept, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-00567-ODE. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$5.3 million cash settlement].

*In re iXL Enterprises, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-2347-CC (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$2.5 million cash settlement].

*In re JDN Realty Corporation Sec. Litig.*, United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action No. 1-00-CV-0396-RWS (The firm served as Lead Counsel in this class action based on securities fraud). [\$41.8 million settlement].

*Lewis v. Advanced Technical Products, Inc., et al.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-1702-WBH (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$2.95 million cash settlement].

*McNerney, et al. v. Carvel Corporation, et al.*, Superior Court, Judicial District of Hartford/New Britain at Hartford, Docket No. CV 98 0579244 S. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$5 million cash recovery].

*In re Medaphis Corp. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:95-CV-2973-GET. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$3.5 million settlement].

*In re 1996 Medaphis Corp. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:96-CV-2088-TWT. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$72.5 million cash and securities settlement].

*Mitchell Partners, L.P., et al. v. Janis Risbergs, et al.*, United States District Court for the



Northern District of Georgia, Civil Action No. 1:96-CV-0735-MHS. (The firm served as Co-Lead Counsel in this shareholder derivative action).

*In re Oxford Health Plans, Inc. Sec. Litig.*, United States District Court for the Southern District of New York, MDL Dkt. No. 1222 (CLB). (The firm served as Co-Lead Counsel in this class action based on securities fraud). [\$300 million settlement].

*In re Premiere Technologies, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Consolidated Civil Action No. 1:98-CV-1804-JOF. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$20.75 million cash settlement]

*In re Profit Recovery Group, International, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-1416-CC (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$6.75 million cash recovery].

*In re Providian Financial Corp. Sec. Litig.*, United States District Court for the Northern District of California, San Francisco Division, Master File No. C-01-3952-CRB. (The firm served as Lead Counsel in this class action based on securities fraud). [\$65 million cash settlement].

*In re Retirement Care Associates, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-2458-CC. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$10 million+ cash settlement]

*Silber v. A.D.A.M. Software, et al.*, Superior Court of Fulton County, State of Georgia, Civil Action No. E-47703. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$750,000 cash recovery].

*Bruce Simons, et al., v. Dynacq Healthcare Inc. et al.*, United States District Court for the Southern District of Texas, Civil Action No. H-03-05825. (The firm served as Co-Lead Counsel in this class action based on securities fraud.) [\$1.5 million cash settlement]

*Sturm v. Marriott Marquis Corp., et al.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-3706-TWT. (The firm served as Co-Lead Counsel in this class action arising out of a proposed merger of a limited partnership). [\$4.25 million cash settlement].

*In re Theragenics Corp. Sec. Litig.*, United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action No. 1:99-CV-0141-TWT. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$10 million cash settlement].

*Upton v. McKerrow*, (in the matter of Longhorn Steaks, Inc.), United States District

Court for the Northern District of Georgia, Civil Action No. 1:94-CV-03530-MHS. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$3 million cash settlement].

*In re U.S. Franchise Systems, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-1244-RLV (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$3.75 million cash settlement].

*Varljen, et al. v. H.J. Meyers, Inc., et al.*, United States District Court for the Southern District of New York, Civil Action No. 97Civ.6742(DLC). (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$3.75 million cash settlement].

*In re ValuJet, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:96-CV-1355-TWT. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$5 million settlement comprising of \$2.5 million in cash and \$2.5 million in securities].

*In re WestPoint Stevens, Inc. Sec. Litig.*, United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action No. 1:01-CV-2673-CC. (The firm served as Co-lead Counsel in this class action based on securities fraud). [\$4.25 million cash recovery].

#### **PENDING ANTITRUST & CONSUMER ACTIONS**

*Baggett et al. v. Hewlett-Packard Company*, United States District Court for the Central District of California, Case No. CV-07-667 AG. (The firm serves as Co-Lead Counsel in this consumer class action).

*Columbus Drywall & Insulation, Inc., et al. v. MASCO Corporation, et al.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:04-CV-3066-JEC. (The firm serves as Co-Lead Counsel in this antitrust class action).

*Khorrami et al. v. Lexmark International Inc.*, United States District Court for the Central District of California, Case No. CV-07-1671 DDP. (The firm serves as Co-Lead Counsel in this consumer class action).

*McFadden et al. v. Brother International Corporation.*, United States District Court for the District of New Jersey, Civil Action No. 07-CIV-1905 (FLB). (The firm serves as Co-Lead Counsel in this consumer class action).

*Ray v. Microsoft Corporation*, United States District Court for the Western District of Washington, Case No. 06-1720 MJP. (The firm serves as Co-Lead Counsel in this consumer class action).



*Richardson et al. v. Brother International Corporation*, United States District Court for the Central District of California, Case No. CV-07-00979 DSF. (The firm serves as Co-Lead Counsel in this consumer class action).

### **SUCCESSFULLY RESOLVED ANTITRUST & CONSUMER ACTIONS**

*Bradford and Ling, et. al. v. Bed Bath & Beyond Inc.*, United States District Court for the Northern District of Georgia, Atlanta Division, Case No. 1:98-CV-2556-RWS. The firm has served as Co-Lead Counsel in a collective action based upon wage and hour abuses. Chitwood Harley Harnes LLP successfully defended Defendant Bed Bath & Beyond's Motion to Decertify the Putative class following discovery. This is the only published order by a court wherein Plaintiffs survived a Motion to Decertify in a FLSA overtime case. (Consumer class action)

*Checkmate Strategic Group, Inc. v. Yahoo! Inc.*, United States District Court for the Central District of California, Case No. CV-05-458879 CAS. (The firm served as Co-Lead Counsel in this consumer class action based on overcharges for "fraudulent clicks" on Yahoo ads).

*In re The Coca Cola Company Apple Juice Consumer Litig.*, Superior Court of Fulton County, State of Georgia, Civil Action No. E-47054. (The firm served as Co-Lead Counsel in this consumer class action based upon the sale of adulterated juice products).

*Dingell v. Tropicana Products, Inc., et al.*, Circuit Court of the Twelfth Judicial Circuit of the State of Florida, Manatee County, General Civil Division, Case No. CA-96-1048. (The firm served as Co-Lead Counsel in this consumer class action based upon the sale of adulterated juice products).

*In re Epson Ink Cartridge Cases*, Superior Court of the State of California for the County of Los Angeles, Judicial Council Coordination Proceeding No. 4347. (The firm served as Co-Lead Counsel in this consumer class action based on the sale of inkjet printer cartridges that indicated "empty" while still containing significant ink.)

*In re Minute Maid Frozen Orange Juice Litig.*, Superior Court of Fulton County, State of Georgia, Master File No. E-58922. (The firm served as Lead Counsel in this consumer class action based upon misrepresentations in sale of frozen juice products).

*In re Motorsports Merchandise Antitrust Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-2314-TWT. (The firm served as Co-Lead Counsel in this antitrust class action).

*In re Nylon Carpet Antitrust Litig.*, United States District Court for the Northern District of Georgia, Civil Action No. 4:98-CV-0267-HLM. (The firm served as Co-Lead Counsel in this

antitrust class action).

*In re Polypropylene Carpet Antitrust Litig.*, United States District Court for the Northern District of Georgia, Rome Division, Multidistrict Litigation Docket No. 1075. (The firm served as Co-Lead Counsel in this antitrust class action).

*In re Vitamins Antitrust Litig.*, United States District Court for the District of Columbia, Civil Action No. 99-0197. (The firm served on the Steering Committee in this antitrust class action).

# **EXHIBIT G**

## SCHUBERT &amp; REED LLP

## PRACTICE AND HISTORY

**Schubert & Reed LLP** is AV rated by the Martindale-Hubbell Law Directory. Together with its predecessor firms, the Law Offices of Robert C. Schubert and the Law Offices of Juden Justice Reed, it has been in operation for over twenty-five years. In addition to prosecuting cases in the California federal and state courts, the firm has been actively involved in multi-district securities and other class actions throughout the United States. Schubert & Reed has been Lead Counsel or Co-Lead Counsel in class actions and shareholder derivative cases which have produced monetary recoveries of over \$315 million. These have included the following:

**Tucker v. Scrushy, et al.**, No. CV-02-5212 (Alabama Circuit Court, Jefferson County). Co-Lead Counsel in shareholder derivative action on behalf of HealthSouth Corporation alleging officer and director breaches of fiduciary duty and insider trading arising from a multi-billion dollar restatement of previously reported financial results. Partial summary judgment for unjust enrichment granted against former CEO Richard Scrushy for restitution to HealthSouth of \$47.8 million bonuses with interest paid to Scrushy during fiscal years 1997-2002 pursuant to a stated policy requiring that bonuses be paid from net profits. In fact, following restatement, it was revealed that the Company had never had net profits from which to pay Scrushy bonuses during the fiscal years 1997-2002. The judgment was affirmed on appeal to the Alabama Supreme Court, **Scrushy v. Tucker**, --- So.2d ---, 2006 WL 2458818, Ala., August 25, 2006 (1050564.). Plaintiffs thereafter settled HealthSouth's claims against additional HealthSouth directors and officers for \$100 million. **Tucker v. Scrushy, et al.**, No. CV-02-5212 (Alabama Circuit Court, Jefferson County)(Order dated January 11, 2007). Co-Counsel in a related case, **In re HealthSouth Corp. Shareholders Litigation**., 845 A.2d 1096 (Del. Ch. 2003), aff'd 847 A.2d 1121 (Del.Supr. 2004), in which the Delaware Chancery Court granted summary judgment for unjust enrichment and equitable fraud against Richard Scrushy arising from his purported repayment with HealthSouth stock of a \$25 million loan that Scrushy was obligated to pay in cash. The judgment resulted in an immediate \$17.5 million recovery to HealthSouth. Collectively, we obtained in excess of \$165 million in judgments against Scrushy and other HealthSouth fiduciaries for the benefit of HealthSouth and its shareholders.

**Bonneville Pacific Corporation Securities Litigation**, No. 92-C-181-S (District of Utah). Co-Lead Counsel in securities class action involving fraudulent financial statements by a large power cogeneration company. We obtained settlements totaling \$26 million for the class, which recovered 100% of its damages, in one of the largest securities fraud cases in Utah history. We also obtained a decision from the Utah Supreme Court holding that plaintiffs need not plead or prove reliance to proceed under the Utah Uniform Securities Act. **Gohler v. Wood**, 919 P. 2d 561 (Utah 1996).

**Qwest Communications International, Inc. Derivative Litigation**, No. 02-CV-8188 (Colorado District Court, City and County of Denver). Co-Lead Counsel in shareholder derivative action alleging officer and director breaches of fiduciary duty and insider

trading arising out of massive earnings restatement by telecommunications company. Defendants attempted to derail the case, seeking a stay based upon previously filed but inactive Federal derivative action. We defeated the motion, reviewed and analyzed over 7 million pages of documents, and recovered \$25 million for the company. The settlement included important corporate governance changes, including the requirement of a lead independent director when the chairman of the board is also the chief executive officer.

**Kirschenbaum v. Electronic Arts, Inc.**, Case No. CIV 440876 (California Superior Court, San Mateo County). Co-Lead Counsel in class action seeking to recover unpaid overtime compensation for computer graphics artists employed in California by Electronic Arts Inc. ("EA"), the world's largest manufacturer of computer video games. The case was settled after the parties conducted formal and informal discovery, and we reviewed thousands of pages of company records. The settlement totaled \$15.6 million, for approximately 618 class members. We believe this is the first class action involving recovery of overtime compensation for computer graphics artists in the electronic game industry.

**Raider v. Sunderland**, Civil Action No. 19357 NC (Delaware Chancery Court). Co-Lead Counsel in shareholder class action alleging breach of fiduciary duty by controlling shareholders of large cement company in connection with its acquisition of related company owned by controlling shareholders. We recovered \$15 million (\$8 per share) for minority shareholders after obtaining class certification, reviewing approximately 30,000 documents, deposing numerous fact and expert witnesses, and preparing the case for trial. The recovery exceeded 50% of the damage calculation of plaintiff's valuation expert.

**ADAC Laboratories Derivative Litigation**, No. CV 779262 (California Superior Court, Santa Clara County). Co-Lead Counsel in shareholder derivative action alleging officer and director breaches of fiduciary duty and insider trading arising from false financial statements issued by a scientific instruments manufacturer. These financial statements were restated after "side letters" and other improper revenue recognition practices were uncovered. Defendants sought a stay based upon federal securities class actions arising from the same facts. We defeated that motion, obtained thousands of documents well ahead of the federal actions, and recovered \$12 million for the company, representing the bulk of its insurance coverage.

**In Re Savings Investment Service Corporation Loan Commitment Litigation**, MDL 718 (Western District of Oklahoma). Co-Lead Counsel in securities class action arising from default of \$9.85 million issue of industrial revenue bonds issued to finance a hotel in Westminster, Colorado. After extensive discovery and motion practice we obtained a recovery of approximately \$8.0 million for the class.

**Emulex Shareholder Derivative Cases**, Judicial Coordination Proceeding No. 4194 (California Superior Court, Orange County). Co-Lead Counsel in shareholder derivative actions alleging officer and director breaches of fiduciary and insider trading arising from order delays for optical networking hardware. Although the case was initially stayed, we

succeeded in lifting the stay and obtaining over 100,000 pages of company documents, eventually obtaining an \$8 million settlement for the company.

**Garbini v. Protection One, Inc.**, Civil Action No. 99-3755 (Central District of California). Lead Counsel in securities class action arising from three successive restatements of three years' audited and publicly reported financial results by America's second-largest home security monitoring company. Plaintiffs asserted claims under Section 11 of the Securities Act of 1933 and Section 10 of the Securities Exchange Act of 1934, alleging use of an excessively long period to amortize the cost of acquired customer accounts. We obtained a settlement of \$7.76 million for the class. In a related appeal, we successfully challenged the dismissal of the company's auditors, Arthur Andersen. The ruling clarified plaintiffs' obligations to allege damages under the Securities Act of 1933. **Garbini v. Protection One, Inc.**, [Current Binder] Fed. Sec. L. Rep.(CCH) ¶92,018 (9<sup>th</sup> Cir. October 11, 2002).

**In Re Providian Financial Corporation Derivative Litigation**, Case No. 401954 (California Superior Court, City and County of San Francisco). Co-Lead Counsel in shareholder derivative action alleging breaches of fiduciary duty and insider trading by officers and directors of a large sub-prime credit card lender. Case arose from company's undisclosed change of accounting for customer bankruptcies and alleged failure to maintain adequate reserves for uncollectible accounts. After extensive document discovery we obtained a settlement of \$6.5 million for the company.

**In Re Structural Dynamics Research Corporation Derivative Litigation**, Case No. C-1-94-650 (Southern District of Ohio). Co-Lead Counsel in shareholder derivative action arising from earnings restatement resulting from accounting fraud in the Far East operations of NASDAQ-listed computer software company. After extensive discovery, we obtained a settlement of \$5.0 million for the company. (SDRC)

**In Re S3 Derivative Litigation**, No. CV-77-0254 (California Superior Court, Santa Clara County). Co-lead counsel in shareholder derivative litigation involving S3, now known as SonicBLUE Corporation, which was a leading manufacturer of graphics accelerator chips. Case arose from earnings restatements and alleged insider trading resulting from improper recognition of revenue on sales in Far East. After discovery, we obtained a cash settlement of \$4.65 million for the company, which represented the bulk of insider trading damages. (SBLU)

**In Re VISX Securities Litigation**. Master File No. C94-2-649-RPA (Northern District of California). Co-Lead Counsel in securities class action arising from misrepresentations as to status of clinical trials by a NASDAQ-listed laser vision correction company. We obtained a settlement of \$4.0 million for the class. (VISX)

**Isaac v. Falcon Classic Cable Income Properties, L.P., et al.**, No. BC-177205 (California Superior Court, Los Angeles County). Lead Counsel in class action arising from general partner's purchase of the assets of a cable television limited partnership at

allegedly inadequate price. We obtained a recovery of \$2.8 million for the limited partners.

**Bilunka v. Sanders**, [1994-95 Transfer Binder] Fed. Sec. L. Rep. (CCH) ¶98,314 (N.D. Cal. 1994). Co-lead counsel in shareholder derivative action arising from misrepresentations by officers and directors of Advanced Micro Devices, a leading microchip manufacturer, regarding a purportedly “clean” clone of a microchip developed by Intel Corporation. The opinion by Judge Ware of the Northern District of California established two key principles for California derivative cases: (1) California’s insider trading statute, Corporations Code §25502.5, applies to California based corporations incorporated in Delaware, and (2) where the board of directors is evenly divided between interested and disinterested members, a shareholder demand upon the board is futile and therefore excused. We ultimately obtained a recovery of \$2.25 million for the company.

**In re IDB Communications Group, Inc. Securities Litigation**, Master File No. CV-94-3618-RG (JGX) (Central District of California). Co-Lead Counsel in shareholder derivative action arising from misleading financial statements issued by NASDAQ-listed telecommunications company. We obtained a settlement of \$2.0 million for the company.

**In re Atchison Casting Corporation Securities Litigation**, Master File No. 01-2013-JWL (District of Kansas). Lead Counsel in a securities class action arising from the restatement of four years’ of audited financial results by this Kansas-headquartered operator of 20 ferrous casting facilities, following revelation of accounting improprieties at the company’s Pennsylvania Foundry Group. We obtained a settlement of \$1.8 million for the class.

**In Re Bexar County Health Facilities Development Corporation Securities Litigation**, MDL 768 (Eastern District of Pennsylvania). Co-Lead Counsel in securities class action arising from default of industrial revenue bonds issued to finance a retirement facility in San Antonio, Texas. We obtained a settlement of \$1.5 million for the class.

**Eleanor Gorsey, et al. v. I.M. Simon & Co., Inc., et al.**, 121 F.R.D.135 (D. Mass 1988). Co-Lead Counsel in securities class action litigation arising from default of industrial revenue bonds issued to finance a retirement facility in South Bend, Indiana. We obtained a settlement of \$1.2 million for the class.

**Sheehan v. Little Switzerland**, 136 F. Supp. 2d 301 (D. Del 2001). Lead counsel in securities class action arising from failed merger between Little Switzerland, Inc., a duty-free retailer, and Destination Retail Holdings Corporation, a Bahamian retailer. The court upheld plaintiff’s claim that the company’s disclosures regarding the financing for the merger were false and misleading, and that plaintiff’s allegations of wrongful intent satisfied the strict pleading standards of the Private Securities Litigation Reform Act of 1995. We obtained a recovery of \$1.05 million for the class, representing approximately 75% of estimated damages. (LSVI)



**Veterinary Centers of America Securities Litigation**, Case No. BC 178 615 (California Superior Court, Los Angeles County). Lead Counsel in shareholder derivative action arising from misrepresentations and insider trading by officers and directors of publicly traded chain of veterinary hospitals. We obtained a recovery of \$1.0 million for the company. (VCAI)

**Cirrus Logic Securities Litigation**, Master File No. C-95-3978-EAI (Northern District of California). Lead Counsel in shareholder derivative action resulting from overstated financial statements and other violations of generally accepted accounting principles by large manufacturer of multimedia products. We obtained a settlement of \$1.0 million for the company. (CRUS)

Schubert & Reed LLP has also participated as counsel in class action or derivative cases involving the following companies:

3M Corporation (MMM)	Brocade Communications Systems, Inc. (BRCD)
aaiPharma Inc. (AAIL)	California Amplifier, Inc. (CAMP)
ABM Industries Incorporated (ABM)	Callidus Software Inc. (CALD)
Abbott Laboratories, Inc. (ABT)	Candies, Inc. (CAND)
Activision, Inc. (ATVI)	Caremark, Inc. (CMX)
Adaptec, Inc. (ADPT)	Caremark International Inc.
Adobe Systems Incorporated (ADBE)	Caribbean Cigar Co. (CIGRD, CIGRW)
Adelphia Communications Corporation (ADLA)	Centennial Technologies, Inc. (CENL)
Advanced Micro-Circuits Corporation (AMCC)	Chalone Wine Group Ltd.
Advanced Micro Devices (AMD)	Charles Allmon Trust
Alcatel Alsthom (ALA)	Chiron Corporation
Amazon.com, Inc. (AMZN)	Cisco Systems, Inc. (CSCO)
America First Financial (AFFEZ)	Citizen Utilities Company (CZN)
America Online, Inc. (AOL)	CNF, Inc. (CNF)
American Bank Note Holographics, Inc. (ABH)	Complete Management, Inc. (CPMI)
American Express Company (AXP)	CompuMed, Inc. (CMPD)
American Income Life Insurance Company	Coram Healthcare Corporation (CRH)
Archer-Daniels-Midland Company (ADM)	Corpro Cos. Inc. (CO)
Ariba, Inc. (ARBA)	Creative Technology Ltd. (CREAF)
Ash Grove Cement Company (ASHG.PK)	Critical Path, Inc. (CPTH)
Aspec Technology, Inc. (ASPC)	Cyberguard Corporation (CYBG)
Assisted Living Concepts, Inc. (ALF)	Cylink Corporation (CYLK)
Atchison Casting Corp. (FDY)	Del Global Technologies Corporation (DGTC)
Aurora Foods, Inc. (AOR)	Digital Equipment Corp. (DEC pa)
Bay Area Cellular Telephone Co. (BACTC)	Digital Lightwave, Inc. (DIGL)
Blockbuster Video (BBI)	Ditech Communications Corp. (DITC)
Borders Group, Inc.	DoubleClick, Inc. (DCLK)
Boston Scientific Corporation (BSX)	eBay, Inc. (EBAY)
Bre-X Corporation (BXMN)	Electronic Arts, Inc. (ERTS)
Broadcom Corporation (BRCM)	Employee Solutions, Inc. (ESOL)



Emulex Corporation (EMLX)  
 Enron Corporation  
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 First Virtual Communications, Inc. (FVC)  
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 Gateway, Inc. (GTW)  
 Gencor Industries, Inc. (GCRX)  
 Genzyme Corporation (GENZ)  
 Greyhound Lines, Inc. (BUS)  
 Guidant Corporation (GDT)  
 H&R Block, Inc. (HRB)  
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 Herbalife International, Inc. (HERBA)  
 Hewlett-Packard Corporation (HPQ)  
 The Home Depot, Inc. (HD)  
 Honda Motor Company (HMC)  
 HPL Technologies, Inc. (HPLA)  
 Indianapolis Motor Speedway Corp.  
 Impac Mortgage Holdings, Inc. (IMH)  
 Informix Corporation (IFMX)  
 Inso Corporation (INSO)  
 Intel Corporation (INTC)  
 Intershop Communications AG (ISHP)  
 Interspeed, Inc. (ISPD)  
 JDS Uniphase Corporation (JDSU)  
 JWP, Inc.  
 Ketema  
 Kidder Peabody & Co.  
 Kinder Morgan  
 Knoll, Inc. (KNL)  
 Koger Properties  
 Legato Systems, Inc. (LGTO)  
 Lernout & Hauspie Speech Products, N.V.  
 (LHSP)  
 Littlefield, Adams & Company (FUNW)  
 Logitech, Inc.

Louisiana-Pacific Corporation (LPX)  
 Macromedia, Inc. (MACR)  
 Marsh & McLennan Companies, Inc. (MMC)  
 Martha Stewart Living Omnimedia, Inc. (MSO)  
 Maxxam, Inc. (MXM)  
 McKesson HBOC, Inc. (HBOC)  
 Medaphis Corporation (MEDA)  
 Media Vision  
 Med/Waste, Inc. (MWDSE)  
 Mercury Finance Company (MFNNQ)  
 Mercury Interactive Corporation (MERQ)  
 Micron Technology, Inc. (MU)  
 Mirant Corporation (MIR)  
 Mitek Systems, Inc. (MITK)  
 Molina Healthcare, Inc. (MOH)  
 Motorcar Parts & Accessories, Inc. (MPAA)  
 NetManage, Inc. (NETM)  
 Netopia, Inc. (NTPA)  
 Network Computing Devices, Inc. (NCDI)  
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 Networks Associates, Inc. (NETA)  
 Network Solutions, Inc.  
 North Face Inc. (TNFI)  
 Novartis AG (NVS)  
 OCA, Inc. (OCA)  
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 Phycor, Inc. (PHYC)  
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 Providian Financial Corporation (PVN)  
 Quaker State Corporation (KSF)  
 Qwest Communications International Inc. (Q)  
 Quantum Corporation (DSS)  
 Quintus Corporation (QNTS)  
 Quovadx, Inc. (QVDX)  
 Rambus, Inc. (RMBS)  
 Riverstone Networks, Inc. (RSTN)

Roberds, Inc. (RBDS)  
Saf T Lok, Inc. (LOCK)  
Safeskin Corporation (SFSK)  
Safety-Kleen Corporation (SKLN)  
Salomon Bros.  
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Versata, Inc. (VATA)  
Websecure, Inc. (WEBS)  
Worldcom, Inc. (WCOEQ)  
Xicor, Inc.

## ATTORNEYS

**ROBERT C. SCHUBERT** received a B.S. degree from the New York State School of Industrial and Labor Relations at Cornell University in 1966, where he graduated first in his class. He received his J.D. cum laude from Harvard Law School in 1969, after which he taught law, first at the Columbia University School of Law (1969-1970), and then at Golden Gate University School of Law (Assistant Professor, 1970-1975). Since that time he has been actively engaged in the practice of law, at both the trial and appellate levels. He specializes in complex litigation, particularly securities and antitrust class actions and shareholder derivative suits. He is a member of the State and Federal bars of California (since 1974), Massachusetts (since 1972) and New York (since 1970). In addition he has been admitted pro hac vice in the following courts, among others: United States District Courts for the Eastern District of Pennsylvania, the Middle District of Florida, the Northern District of Georgia, the Southern District of Ohio, the Western District of Oklahoma, the Western and Northern Districts of Texas, the Northern and Central Districts of Illinois, the Districts of Colorado, Oregon, Delaware, Utah, Montana, Arizona and New Hampshire, the Superior Courts of Alabama, Alaska, Colorado and Illinois, and the Delaware Court of Chancery. He has participated in discovery proceedings throughout the United States and the United Kingdom. He is also an arbitrator, and since 1971 has arbitrated numerous disputes under the auspices of the Federal Mediation and Conciliation Service. He is the author of several published articles.

**JUDEN JUSTICE REED** obtained his A.B. degree from Columbia University in 1983. He was awarded his J.D. degree by Fordham University School of Law in New York, and served as Editor-in-Chief of the Fordham International Law Journal. Mr. Reed was admitted to the practice of law in Connecticut in 1986, in New York in 1989 and in California in 1991. He specializes in both complex litigation and in corporate law, including corporate finance, securities regulation and mergers and acquisitions. Mr. Reed has devoted extensive time to corporate governance litigation in recent years, including the negotiated adoption of comprehensive corporate governance reforms in resolution of shareholder derivative actions, both preceding and following the enactment of the Sarbanes-Oxley Act of 2002. Mr. Reed has been admitted pro hac vice in numerous federal and state courts, and has participated in the prosecution and defense of cases throughout the United States and before the U.S. - Iran Claims Tribunal at The Hague, Netherlands. Previously, Mr. Reed was associated with Wall Street's Carter, Ledyard & Milburn, where he was actively involved in corporate finance, mergers and acquisitions and represented both issuers and underwriters in the public sale of securities. Mr. Reed is presently an advisor to the Institute for Law and Economic Policy.

**WILLEM F. JONCKHEER** received his B.A. degree from Colgate University in 1990. He was awarded his J.D. degree in 1995 from the University of San Francisco School of Law. He has been a law intern with the Pacific Stock Exchange and the U.S. Securities & Exchange Commission. Mr. Jonckheer was admitted to the State Bar of California in 1995.

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**KIMBERLY A. KRALOWEC** received her B.A. degree from Pomona College in 1989. She was awarded her J.D. degree in 1992 from the University of California, Davis, School of Law, where she served as Senior Articles Editor of the U.C. Davis Law Review. Ms. Kralowec was admitted to the State Bar of California in 1992. She served as Judicial Clerk to Judge David Mannheimer of the Alaska Court of Appeals (1992-1993) and is a former partner of Severson & Werson in San Francisco (2000-2001; Associate, 1996-2000). She was Of Counsel to The Furth Firm LLP in San Francisco for six years (2001-2008). She currently serves as a member of the Board of Governors of Consumer Attorneys of California.

**AARON H. DARSKY** received his B.A. from Michigan State University College of Business in 1990. He was awarded his J.D. degree in 1998 from the Golden Gate University School of Law, with a Certificate of Specialization in Litigation. He has been a law intern with the Santa Clara County Office of the Public Defender and a teaching assistant in the Litigation Program at Golden Gate University School of Law for Professor Bernard Segal. Mr. Darsky was admitted to the State Bar of California in 2001 and is also admitted to practice in the United States District Courts for the Northern, Central and Southern Districts of California and the United States Court of Appeals for the Ninth Circuit.

**DUSTIN L. SCHUBERT** received his B.A. from University of California at Berkeley in 2003. He was awarded his J.D. degree in 2007 from Vanderbilt University Law School. Mr. Schubert was admitted to the State Bar of California in 2007. Mr. Schubert previously interned with the Superior Court of California in and for the City and County of San Francisco, for the Hon. A. James Robertson II. Mr. Schubert has also interned for Bay Area Legal Aid.

# **EXHIBIT H**

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**AMERITRADE**



Press Release

Source: Girard Gibbs LLP

## Girard Gibbs LLP Files Class Action Lawsuit Against VeriFone Holdings, Inc. (NYSE:PAY)

Tuesday December 4, 7:43 pm ET

SAN FRANCISCO—(BUSINESS WIRE)—The law firm of Girard Gibbs LLP (<http://www.girardgibbs.com>) filed a class action lawsuit on December 4, 2007, on behalf of persons who purchased or otherwise acquired securities of VeriFone Holdings, Inc. (NYSE:PAY - News) between March 1, 2007 and November 30, 2007, inclusive (the "Class Period"). The class action alleges that VeriFone and certain of its present and former officers violated the Securities Exchange Act of 1934.

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The class action, captioned *Eichenholtz v. VeriFone Holdings, Inc. et al.*, 07-cv-6140 (MHP), is pending in the United States District Court for the Northern District of California. The class action is brought against defendants VeriFone Holdings, Inc., Douglas G. Bergeron and Barry Zwarenstein ("Defendants").

The Complaint alleges that Defendants violated the federal securities laws by issuing a series of material misrepresentations in its filings with the Securities and Exchange Commission ("SEC") and press releases. According to

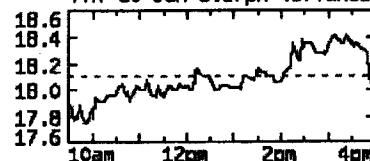
the Complaint, Defendants failed to disclose that: (1) VeriFone overstated previously reported inventories in violation of Generally Accepted Accounting Principles; (2) VeriFone understated the cost of net revenues in violation of Generally Accepted Accounting Principles; and (3) as a result, VeriFone's financial results were unreliable. The Complaint also alleges that, as a result of the inflated share price, the individual defendants were able to sell their personal shares of VeriFone stock for tens of millions of dollars during the Class Period.

On December 3, 2007, VeriFone announced that it was restating its financial statements for the first three fiscal quarters of 2007, and that the previous statements could no longer be relied upon. In reaction to this news, VeriFone's share price fell by 45%—or \$22 per share—on nearly 35 times its average trading volume.

If you purchased or otherwise acquired VeriFone securities between March 1, 2007 and November 30, 2007 you may, no later than February 4, 2008, request that the Court appoint you as lead plaintiff. A lead plaintiff is a representative party acting on behalf of

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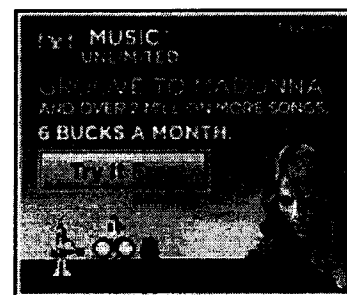
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- [Stock Upgrades, Downgrades from TheStreet.com Ratings](#) - at TheStreet.com (Thu Jan 17)
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other class members in directing the litigation. To be appointed lead plaintiff, the Court must decide that your claim is typical of the claims of other class members, and that you will adequately represent the class. Your ability to share in any recovery is not affected by the decision whether or not to serve as a lead plaintiff. You may retain Girard Gibbs LLP, or other attorneys, to serve as your counsel in this action.

[More...](#)

If you wish to discuss this action or your rights as an investor in VeriFone, please contact Girard Gibbs LLP toll-free at (866) 981-4800. A copy of the complaint is available from the Court, or can be viewed on Girard Gibbs LLP's website at: <http://www.girardgibbs.com/pay.html>.

Girard Gibbs LLP is one of the nation's leading firms representing individual and institutional investors in securities fraud class actions and litigation to correct abusive corporate governance practices, breaches of fiduciary duty and proxy violations. For more information, please access the firm's web site, [www.girardgibbs.com/pay.html](http://www.girardgibbs.com/pay.html). To discuss this class action with us, please contact the following attorney:

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**Contact:**

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# **EXHIBIT I**



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Attorneys for Movants and Proposed Lead Counsel

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JOEL EICHENHOLTZ, Individually )  
And On Behalf Of All Others )  
Similarly Situated, )  
Plaintiff, )  
vs. )  
VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )  
Defendants. )

CIVIL ACTION NO.: 3:07-CV-06140-MHP

**CERTIFICATION OF MARTIN D. CHITWOOD  
PURSUANT TO LOCAL RULE 3-7(d)**

Date: March 10, 2008

Time: 2:00 p.m.

Hon. Marilyn Hall Patel

1 PETER LEIN, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO. 3:07-CV-06195-JSW  
2 Similarly Situated, )

3 Judge: Hon. Jeffrey S. White  
4

5 Plaintiff, )  
6

7 vs. )  
8

9 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
10 BARRY ZWARENSTEIN, )  
11

12 Defendants. )  
13

14 BRIAN VAUGHN, et al., Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06197-VRW  
15 Similarly Situated, )  
16

17 Judge: Hon. Vaughn R. Walker  
18

19 Plaintiff, )  
20

21 vs. )  
22

23 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
24 BARRY ZWARENSTEIN, )  
25

26 Defendants. )  
27

28 ALBERT L. FELDMAN and ELEANOR )  
JEAN FELDMAN, et al., )  
Individually And On Behalf Of All ) CIVIL ACTION NO.: 3:07-CV-06218-MMC  
Others Similarly Situated, )  
29

30 Judge: Hon. Maxine M. Chesney  
31

32 Plaintiff, )  
33

34 vs. )  
35

36 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
37 BARRY ZWARENSTEIN, )  
38

39 Defendants. )  
40

1	DONALD CERINI, Individually	)	
	And On Behalf Of All Others	)	CIVIL ACTION NO.: 3:07-CV-06228-SC
2	Similarly Situated,	)	
		)	Judge: Hon. Samuel Conti
3		)	
4	Plaintiff,	)	
		)	
5	vs.	)	
		)	
6	VERIFONE HOLDINGS, INC.,	)	
	DOUGLAS G. BERGERON and	)	
7	BARRY ZWARENSTEIN,	)	
		)	
8	Defendants.	)	
9		)	
	WESTEND CAPITAL	)	
10	MANAGEMENT, LLC, Individually	)	CIVIL ACTION NO.: 3:07-CV-06237-MMC
	And On Behalf Of All Others	)	
11	Similarly Situated,	)	
		)	Judge: Hon. Maxine M. Chesney
12		)	
13	Plaintiff,	)	
		)	
14	vs.	)	
		)	
15	VERIFONE HOLDINGS, INC.,	)	
	DOUGLAS G. BERGERON and	)	
16	BARRY ZWARENSTEIN,	)	
		)	
17	Defendants.	)	
18		)	
	KURT HILL, Individually	)	
19	And On Behalf Of All Others	)	CIVIL ACTION NO.: 3:07-CV-06238-MHP
20	Similarly Situated,	)	
		)	Judge: Hon. Marilyn Hall Patel
21		)	
	Plaintiff,	)	
22		)	
	vs.	)	
23		)	
	VERIFONE HOLDINGS, INC.,	)	
24	DOUGLAS G. BERGERON and	)	
25	BARRY ZWARENSTEIN,	)	
		)	
26	Defendants.	)	
27		)	
28		)	

1 DANIEL OFFUTT, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06241-JSW  
2 Similarly Situated, )  
3 ) Judge: Hon. Jeffrey S. White  
4 )  
Plaintiff, )  
5 )  
vs. )  
6 )  
7 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
8 BARRY ZWARENSTEIN, )  
9 Defendants. )  
10 )  
EDWARD FEITEL, Individually )  
11 And On Behalf Of All Others ) CIVIL ACTION NO.: 4:08-CV-00118-CW  
Similarly Situated, )  
12 ) Judge: Hon. Claudia Wilken  
Plaintiff, )  
13 )  
vs. )  
14 )  
15 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
16 BARRY ZWARENSTEIN, )  
17 Defendants. )  
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**CERTIFICATION OF MARTIN D. CHITWOOD PURSUANT TO LOCAL RULE 3-7(d)**

I, Martin D. Chitwood make this declaration pursuant to Local Rule 3-7(d) of the United States District Court of the Northern District of California.

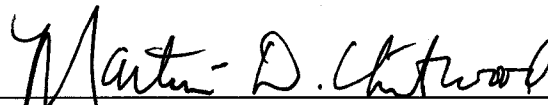
I am seeking to serve as class counsel in this action, which is governed by the Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995).

Exclusive of securities held through mutual funds of discretionary accounts managed by professional money managers, I do not directly own or otherwise have a beneficial interest in the securities that are the subject of this action.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2008, at Atlanta, Georgia.

Respectfully submitted,



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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JOEL EICHENHOLTZ, Individually )  
And On Behalf Of All Others )  
Similarly Situated, )

CIVIL ACTION NO.: 3:07-CV-06140-MHP

**CERTIFICATION OF JAMES M. WILSON, JR.  
PURSUANT TO LOCAL RULE 3-7(d)**

Plaintiff, )

vs. )

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Date: March 10, 2008

Time: 2:00 p.m.

Hon. Marilyn Hall Patel

Defendants. )



1 PETER LEIN, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO. 3:07-CV-06195-JSW  
2 Similarly Situated, )

3 ) Judge: Hon. Jeffrey S. White  
4 )

5 )  
6 Plaintiff, )

7 )  
8 vs. )

9 )  
10 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
11 BARRY ZWARENSTEIN, )

12 )  
13 Defendants. )

14 )  
15 BRIAN VAUGHN, et al., Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06197-VRW  
16 Similarly Situated, )

17 ) Judge: Hon. Vaughn R. Walker  
18 )

19 )  
20 Plaintiff, )

21 )  
22 vs. )

23 )  
24 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
25 BARRY ZWARENSTEIN, )

26 )  
27 Defendants. )

28 )  
29 ALBERT L. FELDMAN and ELEANOR )  
30 JEAN FELDMAN, et al., )  
Individually And On Behalf Of All ) CIVIL ACTION NO.: 3:07-CV-06218-MMC  
31 Others Similarly Situated, )

32 ) Judge: Hon. Maxine M. Chesney  
33 )

34 )  
35 Plaintiff, )

36 )  
37 vs. )

38 )  
39 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
40 BARRY ZWARENSTEIN, )

41 )  
42 Defendants. )

43 )  
44 )

45 )

1 DONALD CERINI, Individually )  
 And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06228-SC  
 2 Similarly Situated, )

3 ) Judge: Hon. Samuel Conti  
 4 )

4 Plaintiff, )

5 vs. )

6 VERIFONE HOLDINGS, INC., )  
 7 DOUGLAS G. BERGERON and )  
 8 BARRY ZWARENSTEIN, )

8 Defendants. )

9 )  
 10 WESTEND CAPITAL )  
 MANAGEMENT, LLC, Individually ) CIVIL ACTION NO.: 3:07-CV-06237-MMC  
 11 And On Behalf Of All Others )  
 12 Similarly Situated, )

12 Judge: Hon. Maxine M. Chesney  
 13 )

13 Plaintiff, )

14 vs. )

15 VERIFONE HOLDINGS, INC., )  
 16 DOUGLAS G. BERGERON and )  
 17 BARRY ZWARENSTEIN, )

18 Defendants. )

19 KURT HILL, Individually )  
 And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06238-MHP  
 20 Similarly Situated, )

21 Judge: Hon. Marilyn Hall Patel  
 22 )

22 Plaintiff, )

23 vs. )

24 VERIFONE HOLDINGS, INC., )  
 25 DOUGLAS G. BERGERON and )  
 BARRY ZWARENSTEIN, )

26 Defendants. )

27 )

28

1 DANIEL OFFUTT, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06241-JSW  
2 Similarly Situated, )  
3 ) Judge: Hon. Jeffrey S. White  
4 )  
Plaintiff, )  
5 )  
vs. )  
6 )  
7 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
8 BARRY ZWARENSTEIN, )  
9 Defendants. )  
10 )  
EDWARD FEITEL, Individually )  
11 And On Behalf Of All Others ) CIVIL ACTION NO.: 4:08-CV-00118-CW  
Similarly Situated, )  
12 ) Judge: Hon. Claudia Wilken  
Plaintiff, )  
13 )  
vs. )  
14 )  
15 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
16 BARRY ZWARENSTEIN, )  
17 Defendants. )  
18 )  
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28

**CERTIFICATION OF JAMES M. WILSON, JR. PURSUANT TO LOCAL RULE 3-7(d)**

I, James M. Wilson, Jr. make this declaration pursuant to Local Rule 3-7(d) of the United States District Court of the Northern District of California.

I am seeking to serve as class counsel in this action, which is governed by the Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995).

Exclusive of securities held through mutual funds of discretionary accounts managed by professional money managers, I do not directly own or otherwise have a beneficial interest in the securities that are the subject of this action.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2008, at Atlanta, Georgia.

Respectfully submitted,



**CHITWOOD HARLEY HARNES LLP**

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James M. Wilson, Jr.

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Yeshimebet M.A. Abebe

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*Counsel for Movants and Proposed Lead Counsel*

# **EXHIBIT K**

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Attorneys for Movants and Proposed Lead Counsel

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JOEL EICHENHOLTZ, Individually )  
And On Behalf Of All Others )  
Similarly Situated, )

CIVIL ACTION NO.: 3:07-CV-06140-MHP

**CERTIFICATION OF GREGORY E. KELLER  
PURSUANT TO LOCAL RULE 3-7(d)**

Plaintiff,

**VS.**

Date: March 10, 2008

Time: 2:00 p.m.

Hon. Marilyn Hall Patel

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

**Defendants.**

1	PETER LEIN, Individually	)	
	And On Behalf Of All Others	)	CIVIL ACTION NO. 3:07-CV-06195-JSW
2	Similarly Situated,	)	
		)	Judge: Hon. Jeffrey S. White
3		)	
	Plaintiff,	)	
4		)	
	vs.	)	
5		)	
	VERIFONE HOLDINGS, INC.,	)	
6	DOUGLAS G. BERGERON and	)	
7	BARRY ZWARENSTEIN,	)	
		)	
8	Defendants.	)	
9	<hr/>		
	BRIAN VAUGHN, et al., Individually	)	
10	And On Behalf Of All Others	)	CIVIL ACTION NO.: 3:07-CV-06197-VRW
11	Similarly Situated,	)	
		)	Judge: Hon. Vaughn R. Walker
12		)	
	Plaintiff,	)	
13		)	
	vs.	)	
14		)	
	VERIFONE HOLDINGS, INC.,	)	
15	DOUGLAS G. BERGERON and	)	
16	BARRY ZWARENSTEIN,	)	
		)	
17	Defendants.	)	
18	<hr/>		
	ALBERT L. FELDMAN and ELEANOR	)	
19	JEAN FELDMAN, et al.,	)	
	Individually And On Behalf Of All	)	CIVIL ACTION NO.: 3:07-CV-06218-MMC
20	Others Similarly Situated,	)	
		)	Judge: Hon. Maxine M. Chesney
21		)	
	Plaintiff,	)	
22		)	
	vs.	)	
23		)	
	VERIFONE HOLDINGS, INC.,	)	
24	DOUGLAS G. BERGERON and	)	
25	BARRY ZWARENSTEIN,	)	
		)	
26	Defendants.	)	
27	<hr/>		
28		)	



1 DONALD CERINI, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06228-SC  
2 Similarly Situated, )

3 ) Judge: Hon. Samuel Conti  
4 )

5 )  
6 Plaintiff, )

7 )  
8 vs. )

9 )  
10 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
11 BARRY ZWARENSTEIN, )

12 )  
13 Defendants. )

14 )  
15 WESTEND CAPITAL )  
16 MANAGEMENT, LLC, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06237-MMC  
17 Similarly Situated, )

18 ) Judge: Hon. Maxine M. Chesney  
19 )

20 )  
21 Plaintiff, )

22 )  
23 vs. )

24 )  
25 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

26 )  
27 Defendants. )

28 )  
KURT HILL, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06238-MHP  
Similarly Situated, )

Judge: Hon. Marilyn Hall Patel

Plaintiff, )

vs. )

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Defendants. )

1 DANIEL OFFUTT, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06241-JSW  
2 Similarly Situated, )  
3 ) Judge: Hon. Jeffrey S. White  
4 )

Plaintiff, )

5 vs. )

6 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
7 BARRY ZWARENSTEIN, )  
8 )

Defendants. )

9 )  
EDWARD FEITEL, Individually )  
10 And On Behalf Of All Others ) CIVIL ACTION NO.: 4:08-CV-00118-CW  
11 Similarly Situated, )  
12 ) Judge: Hon. Claudia Wilken  
13 )

Plaintiff, )

14 vs. )

15 VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
16 BARRY ZWARENSTEIN, )  
17 )

Defendants. )

**CERTIFICATION OF GREGORY E. KELLER PURSUANT TO LOCAL RULE 3-7(d)**

I, Gregory E. Keller, make this declaration pursuant to Local Rule 3-7(d) of the United States District Court of the Northern District of California.

I am seeking to serve as class counsel in this action, which is governed by the Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995).

Exclusive of securities held through mutual funds of discretionary accounts managed by professional money managers, I do not directly own or otherwise have a beneficial interest in the securities that are the subject of this action.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2008, at Great Neck, New York.

Respectfully submitted,

  
**CHITWOOD HARLEY HARNES LLP**

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*Counsel for Movants and Proposed Lead Counsel*

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Attorneys for Movants and Proposed Lead Counsel

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JOEL EICHENHOLTZ, Individually )  
And On Behalf Of All Others )  
Similarly Situated, )

CIVIL ACTION NO.: 3:07-CV-06140-MHP

**CERTIFICATION OF DARREN T. KAPLAN  
PURSUANT TO LOCAL RULE 3-7(d)**

Plaintiff, )

vs. )

Date: March 10, 2008

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Time: 2:00 p.m.  
Hon. Marilyn Hall Patel

Defendants. )

PETER LEIN, Individually  
And On Behalf Of All Others  
Similarly Situated,

CIVIL ACTION NO. 3:07-CV-06195-JSW

Judge: Hon. Jeffrey S. White

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

BRIAN VAUGHN, et al., Individually  
And On Behalf Of All Others  
Similarly Situated,

CIVIL ACTION NO.: 3:07-CV-06197-VRW

Judge: Hon. Vaughn R. Walker

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

ALBERT L. FELDMAN and ELEANOR  
JEAN FELDMAN, et al.,  
Individually And On Behalf Of All  
Others Similarly Situated,

CIVIL ACTION NO.: 3:07-CV-06218-MMC

Judge: Hon. Maxine M. Chesney

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

DONALD CERINI, Individually )  
 And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06228-SC  
 Similarly Situated, )

Judge: Hon. Samuel Conti

Plaintiff,

vs.

VERIFONE HOLDINGS, INC., )  
 DOUGLAS G. BERGERON and )  
 BARRY ZWARENSTEIN, )

Defendants.

WESTEND CAPITAL )  
 MANAGEMENT, LLC, Individually ) CIVIL ACTION NO.: 3:07-CV-06237-MMC  
 And On Behalf Of All Others )  
 Similarly Situated, )

Judge: Hon. Maxine M. Chesney

Plaintiff,

vs.

VERIFONE HOLDINGS, INC., )  
 DOUGLAS G. BERGERON and )  
 BARRY ZWARENSTEIN, )

Defendants.

KURT HILL, Individually )  
 And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06238-MHP  
 Similarly Situated, )

Judge: Hon. Marilyn Hall Patel

Plaintiff,

vs.

VERIFONE HOLDINGS, INC., )  
 DOUGLAS G. BERGERON and )  
 BARRY ZWARENSTEIN, )

Defendants.



1 DANIEL OFFUTT, Individually  
2 And On Behalf Of All Others  
3 Similarly Situated,

4 Plaintiff,

5 vs.

6 VERIFONE HOLDINGS, INC.,  
7 DOUGLAS G. BERGERON and  
8 BARRY ZWARENSTEIN,

9 Defendants.

10 EDWARD FEITEL, Individually  
11 And On Behalf Of All Others  
12 Similarly Situated,

13 Plaintiff,

14 vs.

15 VERIFONE HOLDINGS, INC.,  
16 DOUGLAS G. BERGERON and  
17 BARRY ZWARENSTEIN,

18 Defendants.

) CIVIL ACTION NO.: 3:07-CV-06241-JSW

) Judge: Hon. Jeffrey S. White

) CIVIL ACTION NO.: 4:08-CV-00118-CW

) Judge: Hon. Claudia Wilken

**CERTIFICATION OF DARREN T. KAPLAN PURSUANT TO LOCAL RULE 3-7(d)**

I, Darren T. Kaplan make this declaration pursuant to Local Rule 3-7(d) of the United States District Court of the Northern District of California.


I am seeking to serve as class counsel in this action, which is governed by the Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995).

Exclusive of securities held through mutual funds of discretionary accounts managed by professional money managers, I do not directly own or otherwise have a beneficial interest in the securities that are the subject of this action.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2008, at Great Neck, New York.

Respectfully submitted,



**CHITWOOD HARLEY HARNES LLP**

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*Counsel for Movants and Proposed Lead Counsel*

## **EXHIBIT M**

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Attorneys for Movants and Proposed Lead Counsel

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JOEL EICHENHOLTZ, Individually )  
And On Behalf Of All Others )  
Similarly Situated, )

CIVIL ACTION NO.: 3:07-CV-06140-MHP

**CERTIFICATION OF ERAN RUBINSTEIN  
PURSUANT TO LOCAL RULE 3-7(d)**

Plaintiff, )

vs. )

VERIFONE HOLDINGS, INC., )  
OUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Date: March 10, 2008

Time: 2:00 p.m.

Hon. Marilyn Hall Patel

Defendants. )

PETER LEIN, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO. 3:07-CV-06195-JSW  
Similarly Situated, )

Judge: Hon. Jeffrey S. White

Plaintiff,

vs.

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Defendants.

BRIAN VAUGHN, et al., Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06197-VRW  
Similarly Situated, )

Judge: Hon. Vaughn R. Walker

Plaintiff,

vs.

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Defendants.

ALBERT L. FELDMAN and ELEANOR )  
JEAN FELDMAN, et al., )  
Individually And On Behalf Of All ) CIVIL ACTION NO.: 3:07-CV-06218-MMC  
Others Similarly Situated, )

Judge: Hon. Maxine M. Chesney

Plaintiff,

vs.

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Defendants.

DONALD CERINI, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06228-SC  
Similarly Situated, )

Judge: Hon. Samuel Conti

Plaintiff,

vs.

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Defendants.

WESTEND CAPITAL )  
MANAGEMENT, LLC, Individually ) CIVIL ACTION NO.: 3:07-CV-06237-MMC  
And On Behalf Of All Others )  
Similarly Situated, )

Judge: Hon. Maxine M. Chesney

Plaintiff,

vs.

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Defendants.

KURT HILL, Individually )  
And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06238-MHP  
Similarly Situated, )

Judge: Hon. Marilyn Hall Patel

Plaintiff,

vs.

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Defendants.

1 DANIEL OFFUTT, Individually  
2 And On Behalf Of All Others  
3 Similarly Situated,

4 Plaintiff,

5 vs.

6 VERIFONE HOLDINGS, INC.,  
7 DOUGLAS G. BERGERON and  
8 BARRY ZWARENSTEIN,

9 Defendants.

10 EDWARD FEITEL, Individually  
11 And On Behalf Of All Others  
12 Similarly Situated,

13 Plaintiff,

14 vs.

15 VERIFONE HOLDINGS, INC.,  
16 DOUGLAS G. BERGERON and  
17 BARRY ZWARENSTEIN,

18 Defendants.

) CIVIL ACTION NO.: 3:07-CV-06241-JSW

) Judge: Hon. Jeffrey S. White

) CIVIL ACTION NO.: 4:08-CV-00118-CW

) Judge: Hon. Claudia Wilken



**CERTIFICATION OF ERAN RUBINSTEIN PURSUANT TO LOCAL RULE 3-7(d)**

I, Eran Rubinstein make this declaration pursuant to Local Rule 3-7(d) of the United States District Court of the Northern District of California.

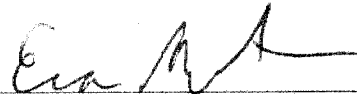
I am seeking to serve as class counsel in this action, which is governed by the Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995).

Exclusive of securities held through mutual funds of discretionary accounts managed by professional money managers, I do not directly own or otherwise have a beneficial interest in the securities that are the subject of this action.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2008, at Great Neck, New York.

Respectfully submitted,



**CHITWOOD HARLEY HARNES LLP**

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Darren T. Kaplan  
Eran Rubinstein  
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*Counsel for Movants and Proposed Lead Counsel*

**EXHIBIT N**

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Attorneys for Movants and Proposed Lead Counsel

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JOEL EICHENHOLTZ, Individually )  
And On Behalf Of All Others )  
Similarly Situated, )

Plaintiff, )

vs. )

VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )

Defendants. )

CIVIL ACTION NO.: 3:07-CV-06140-MHP

**CERTIFICATION OF SUSAN BOLTZ  
RUBINSTEIN PURSUANT TO LOCAL  
RULE 3-7(d)**

Date: March 10, 2008

Time: 2:00 p.m.

Hon. Marilyn Hall Patel

PETER LEIN, Individually  
And On Behalf Of All Others  
Similarly Situated,

CIVIL ACTION NO. 3:07-CV-06195-JSW

Judge: Hon. Jeffrey S. White

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

BRIAN VAUGHN, et al., Individually  
And On Behalf Of All Others  
Similarly Situated,

CIVIL ACTION NO.: 3:07-CV-06197-VRW

Judge: Hon. Vaughn R. Walker

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

ALBERT L. FELDMAN and ELEANOR)  
JEAN FELDMAN, et al.,  
Individually And On Behalf Of All  
Others Similarly Situated,

CIVIL ACTION NO.: 3:07-CV-06218-MMC

Judge: Hon. Maxine M. Chesney

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

DONALD CERINI, Individually  
And On Behalf Of All Others  
Similarly Situated,

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

CIVIL ACTION NO.: 3:07-CV-06228-SC

Judge: Hon. Samuel Conti

WESTEND CAPITAL  
MANAGEMENT, LLC, Individually  
And On Behalf Of All Others  
Similarly Situated,

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

CIVIL ACTION NO.: 3:07-CV-06237-MMC

Judge: Hon. Maxine M. Chesney

KURT HILL, Individually  
And On Behalf Of All Others  
Similarly Situated,

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

CIVIL ACTION NO.: 3:07-CV-06238-MHP

Judge: Hon. Marilyn Hall Patel

**DANIEL OFFUTT, Individually  
And On Behalf Of All Others  
Similarly Situated,**

CIVIL ACTION NO.: 3:07-CV-06241-JSW

Judge: Hon. Jeffrey S. White

Plaintiff,

**VS.**

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

**Defendants.**

**EDWARD FEITEL, Individually  
And On Behalf Of All Others  
Similarly Situated,**

CIVIL ACTION NO.: 4:08-CV-00118-CW

Judge: Hon. Claudia Wilken

Plaintiff,

**VS.**

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

**Defendants.**

**CERTIFICATION OF SUSAN BOLTZ RUBINSTEIN**  
**PURSUANT TO LOCAL RULE 3-7(d)**

I, Susan Boltz Rubinstein make this declaration pursuant to Local Rule 3-7(d) of the United States District Court of the Northern District of California.

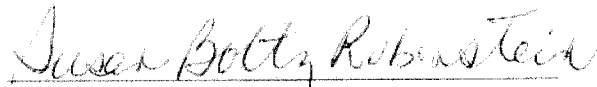
I am seeking to serve as class counsel in this action, which is governed by the Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995).

Exclusive of securities held through mutual funds of discretionary accounts managed by professional money managers, I do not directly own or otherwise have a beneficial interest in the securities that are the subject of this action.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2008, at Great Neck, New York.

Respectfully submitted,



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Attorneys for Movants and Proposed Lead Counsel

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JOEL EICHENHOLTZ, Individually )  
And On Behalf Of All Others )  
Similarly Situated, )  
Plaintiff, )  
vs. )  
VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )  
Defendants. )

CIVIL ACTION NO.: 3:07-CV-06140-MHP

**CERTIFICATION OF WILLEM F.  
JONCKHEER PURSUANT TO LOCAL  
RULE 3-7(d)**

Date: March 10, 2008  
Time: 2:00 p.m.  
Hon. Marilyn Hall Patel

1 PETER LEIN, Individually )  
2 And On Behalf Of All Others ) CIVIL ACTION NO. 3:07-CV-06195-JSW  
3 Similarly Situated, )

4 ) Judge: Hon. Jeffrey S. White  
5 )

6 Plaintiff, )

7 vs. )

8 VERIFONE HOLDINGS, INC., )  
9 DOUGLAS G. BERGERON and )  
10 BARRY ZWARENSTEIN, )

11 Defendants. )  
12 )

13 BRIAN VAUGHN, et al., Individually )  
14 And On Behalf Of All Others ) CIVIL ACTION NO.: 3:07-CV-06197-VRW  
15 Similarly Situated, )

16 ) Judge: Hon. Vaughn R. Walker  
17 )

18 Plaintiff, )

19 vs. )

20 VERIFONE HOLDINGS, INC., )  
21 DOUGLAS G. BERGERON and )  
22 BARRY ZWARENSTEIN, )

23 Defendants. )  
24 )

25 ALBERT L. FELDMAN and ELEANOR )  
26 JEAN FELDMAN, et al., )  
27 Individually And On Behalf Of All ) CIVIL ACTION NO.: 3:07-CV-06218-MMC  
28 Others Similarly Situated, )

29 ) Judge: Hon. Maxine M. Chesney  
30 )

31 Plaintiff, )

32 vs. )

33 VERIFONE HOLDINGS, INC., )  
34 DOUGLAS G. BERGERON and )  
35 BARRY ZWARENSTEIN, )

36 Defendants. )  
37 )  
38 )

DONALD CERINI, Individually  
And On Behalf Of All Others  
Similarly Situated,

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

CIVIL ACTION NO.: 3:07-CV-06228-SC

Judge: Hon. Samuel Conti

WESTEND CAPITAL  
MANAGEMENT, LLC, Individually  
And On Behalf Of All Others  
Similarly Situated,

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

CIVIL ACTION NO.: 3:07-CV-06237-MMC

Judge: Hon. Maxine M. Chesney

KURT HILL, Individually  
And On Behalf Of All Others  
Similarly Situated,

Plaintiff,

vs.

VERIFONE HOLDINGS, INC.,  
DOUGLAS G. BERGERON and  
BARRY ZWARENSTEIN,

Defendants.

CIVIL ACTION NO.: 3:07-CV-06238-MHP

Judge: Hon. Marilyn Hall Patel

1 DANIEL OFFUTT, Individually  
2 And On Behalf Of All Others  
3 Similarly Situated,

4 Plaintiff,

5 vs.

6 VERIFONE HOLDINGS, INC.,  
7 DOUGLAS G. BERGERON and  
8 BARRY ZWARENSTEIN,

9 Defendants.

) CIVIL ACTION NO.: 3:07-CV-06241-JSW

) Judge: Hon. Jeffrey S. White

10 EDWARD FEITEL, Individually  
11 And On Behalf Of All Others  
12 Similarly Situated,

13 Plaintiff,

14 vs.

15 VERIFONE HOLDINGS, INC.,  
16 DOUGLAS G. BERGERON and  
17 BARRY ZWARENSTEIN,

18 Defendants.

) CIVIL ACTION NO.: 4:08-CV-00118-CW

) Judge: Hon. Claudia Wilken

**CERTIFICATION OF WILLEM F. JONCKHEER PURSUANT TO LOCAL RULE 3-7(d)**

I, Willem F. Jonckheer make this declaration pursuant to Local Rule 3-7(d) of the United States District Court of the Northern District of California.


I am seeking to serve as class counsel in this action, which is governed by the Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995).

Exclusive of securities held through mutual funds of discretionary accounts managed by professional money managers, I do not directly own or otherwise have a beneficial interest in the securities that are the subject of this action.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2008, at San Francisco, California.

Respectfully submitted,



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*Proposed Liaison Counsel*

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Attorneys for Movants and Proposed Lead Counsel

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JOEL EICHENHOLTZ, Individually )  
And On Behalf Of All Others )  
Similarly Situated, )  
Plaintiff, )  
vs. )  
VERIFONE HOLDINGS, INC., )  
DOUGLAS G. BERGERON and )  
BARRY ZWARENSTEIN, )  
Defendants. )

CIVIL ACTION NO.: 3:07-CV-06140-MHP

**CERTIFICATION OF JUDEN JUSTICE  
REED PURSUANT TO LOCAL  
RULE 3-7(d)**

Date: March 10, 2008

Time: 2:00 p.m.

Hon. Marilyn Hall Patel



1	PETER LEIN, Individually	)	
2	And On Behalf Of All Others	)	CIVIL ACTION NO. 3:07-CV-06195-JSW
3	Similarly Situated,	)	
4		)	Judge: Hon. Jeffrey S. White
5	Plaintiff,	)	
6	vs.	)	
7	VERIFONE HOLDINGS, INC.,	)	
8	DOUGLAS G. BERGERON and	)	
9	BARRY ZWARENSTEIN,	)	
10	Defendants.	)	
11		)	
12	BRIAN VAUGHN, et al., Individually	)	
13	And On Behalf Of All Others	)	CIVIL ACTION NO.: 3:07-CV-06197-VRW
14	Similarly Situated,	)	
15		)	Judge: Hon. Vaughn R. Walker
16	Plaintiff,	)	
17	vs.	)	
18	VERIFONE HOLDINGS, INC.,	)	
19	DOUGLAS G. BERGERON and	)	
20	BARRY ZWARENSTEIN,	)	
21	Defendants.	)	
22		)	
23	ALBERT L. FELDMAN and ELEANOR	)	
24	JEAN FELDMAN, et al.,	)	
25	Individually And On Behalf Of All	)	CIVIL ACTION NO.: 3:07-CV-06218-MMC
26	Others Similarly Situated,	)	
27		)	Judge: Hon. Maxine M. Chesney
28	Plaintiff,	)	
	vs.	)	
	VERIFONE HOLDINGS, INC.,	)	
	DOUGLAS G. BERGERON and	)	
	BARRY ZWARENSTEIN,	)	
	Defendants.	)	

1	DONALD CERINI, Individually	)	
2	And On Behalf Of All Others	)	CIVIL ACTION NO.: 3:07-CV-06228-SC
3	Similarly Situated,	)	
4		)	Judge: Hon. Samuel Conti
5	Plaintiff,	)	
6	vs.	)	
7	VERIFONE HOLDINGS, INC.,	)	
8	DOUGLAS G. BERGERON and	)	
9	BARRY ZWARENSTEIN,	)	
10		)	
11	Defendants.	)	
12	WESTEND CAPITAL	)	
13	MANAGEMENT, LLC, Individually	)	CIVIL ACTION NO.: 3:07-CV-06237-MMC
14	And On Behalf Of All Others	)	
15	Similarly Situated,	)	Judge: Hon. Maxine M. Chesney
16		)	
17	Plaintiff,	)	
18	vs.	)	
19	VERIFONE HOLDINGS, INC.,	)	
20	DOUGLAS G. BERGERON and	)	
21	BARRY ZWARENSTEIN,	)	
22		)	
23	Defendants.	)	
24	KURT HILL, Individually	)	
25	And On Behalf Of All Others	)	CIVIL ACTION NO.: 3:07-CV-06238-MHP
26	Similarly Situated,	)	
27		)	Judge: Hon. Marilyn Hall Patel
28	Plaintiff,	)	
	vs.	)	
	VERIFONE HOLDINGS, INC.,	)	
	DOUGLAS G. BERGERON and	)	
	BARRY ZWARENSTEIN,	)	
		)	
	Defendants.	)	

1 DANIEL OFFUTT, Individually )  
2 And On Behalf Of All Others )  
3 Similarly Situated, )

4 Plaintiff, )

5 vs. )

6 VERIFONE HOLDINGS, INC., )  
7 DOUGLAS G. BERGERON and )  
8 BARRY ZWARENSTEIN, )

9 Defendants. )

CIVIL ACTION NO.: 3:07-CV-06241-JSW

Judge: Hon. Jeffrey S. White

10 EDWARD FEITEL, Individually )  
11 And On Behalf Of All Others )  
12 Similarly Situated, )

13 Plaintiff, )

14 vs. )

15 VERIFONE HOLDINGS, INC., )  
16 DOUGLAS G. BERGERON and )  
17 BARRY ZWARENSTEIN, )

18 Defendants. )

CIVIL ACTION NO.: 4:08-CV-00118-CW

Judge: Hon. Claudia Wilken

**CERTIFICATION OF JUDEN JUSTICE REED PURSUANT TO LOCAL RULE 3-7(d)**

I, Juden Justice Reed make this declaration pursuant to Local Rule 3-7(d) of the United States District Court of the Northern District of California.

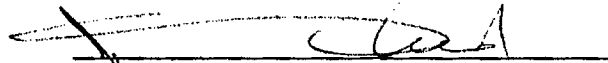
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I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2008, at San Francisco, California.

Respectfully submitted,



**SCHUBERT & REED LLP**

Juden Justice Reed

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*Proposed Liaison Counsel*